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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PATRICIA EKIZIAN,

Defendant.

CASE NO. 2:21-CR-157-DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: June 26, 2023

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

BACKGROUND

By previous order, this matter was set for status on June 26, 2023, before United States District Judge Kimberly J. Mueller. On April 6, 2023, the Court reassigned this case to United States District Judge Daniel J. Calabretta and vacated all dates in the case. ECF No. 49. By this stipulation, the parties now request that the Court set a status conference for August 10, 2023, at 9:00 a.m., and to exclude time under Local Code T4, the date of the Court's order, below, and August 10, 2023, for the reasons set forth below.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By this stipulation, defendant moves to set a status conference for August 10, 2023, at 9:00 a.m., and to exclude time between the date of the Court's order below, and August 10, 2023.

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2. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes investigative reports and photographs, as well as video evidence. This discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time to review the discovery produced, to consult with his client, to conduct investigation and research related to the current charges, to discuss potential resolutions to this matter, and to otherwise prepare for trial.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of the date of this Court's order, below, to August 10, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

3. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

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1 IT IS SO STIPULATED.

2 Dated: July 25, 2023

PHILLIP A. TALBERT
United States Attorney

3 /s/ JAMES R. CONOLLY
4 JAMES R. CONOLLY
Assistant United States Attorney

5 Dated: July 25, 2023

6 /s/ PHILIP COZENS
PHILIP COZENS
7 Counsel for Defendant
PATRICIA EKIZIAN

11 **ORDER**

12 IT IS SO FOUND AND ORDERED this 25th day of July, 2023.

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14 /s/ Daniel J. Calabretta
15 THE HONORABLE DANIEL J. CALABRETTA
16 UNITED STATES DISTRICT JUDGE